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 INTEMATIX CORPORATION

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

SYMYX TECHNOLOGIES, INC., a
 Delaware corporation,

Plaintiff,

vs.

INTEMATIX CORPORATION, a California
 corporation,

Defendant.

INTEMATIX CORPORATION, a California
 corporation,

Counterclaimant,

vs.

SYMYX TECHNOLOGIES, INC., a
 Delaware Corporation;

Counterclaim Respondent.

CASE NO. C 06-03276 MHP

**STIPULATION FOR DISMISSAL OF
 ACTION WITH PREJUDICE (FRCP 41)
 AND ~~[PROPOSED]~~ ORDER THEREON**

1 Plaintiff and Counterclaim Respondent Symyx Technologies, Inc. ("Symyx") and
2 Defendant and Counterclaimant Intematix Corporation ("Intematix"), through their respective
3 counsel of record, hereby stipulate as follows:

4 1. This action and all claims and counterclaims asserted herein are dismissed with
5 prejudice and each party waives and relinquishes any right to appeal from this dismissal order or
6 any other order entered in this action;

7 2. Each party shall bear its own fees and costs in connection with this action; and

8 3. This Stipulation shall be made an Order of the Court.
9

10 Dated: January 8, 2007

QUINN EMANUEL URQUHART
OLIVER & HEDGES, LLP

11
12 /s/ Claude M. Stern

13 Claude M. Stern
14 Attorneys for Plaintiff
15 Symyx Technologies, Inc.

16 Dated: January 8, 2007

MANATT, PHELPS & PHILLIPS, LLP

17
18 /s/ Christopher L. Wanger

19 Christopher L. Wanger
20 Attorneys for Defendant and Counterclaimant
Intematix Corporation

21 I, Todd M. Briggs, am the ECF User whose identification and password are being used to
22 file this document. Pursuant to General Order 45.X.B, I hereby attest that Christopher L. Wanger,
23 counsel for Intematix, has concurred in this filing.
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ORDER

Pursuant to the stipulation of the parties and for good cause shown, IT IS ORDERED that:

1. This action and all claims and counterclaims asserted herein are dismissed with prejudice and each party waives and relinquishes any right to appeal from this dismissal order or any other order entered in this action; and
2. Each party shall bear its own fees and costs in connection with this action.

DATED: 1/8/07



HON. MARILYN HALL PATEL